

# Wetlands Bureau Decision Report

Decisions Taken  
07/18/2005 to 07/24/2005

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2002-01346                      OCONNELL DEV. GROUP**  
**HILLSBOROUGH   North Branch Brook**

### Requested Action:

Approve name change to: Higham Plaza, LLC, 220 Boylston St., Ste 301, Chestnut Hill, Ma 02467 per request received 7/20/2005.

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### Conservation Commission/Staff Comments:

7/11/02 letter from CC stating no objection with three conditions which have been addressed through plan revisions.

Inspection Date: 04/11/2002 by Jocelyn S Degler

### APPROVE NAME CHANGE:

Fill 28,800 square feet of palustrine forested and shrub-scrub wetlands for development of a Shaw's supermarket.

### With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering dated April 26, 2002 and revised through 6/24/2002, as received by the Department on June 21, 2002 and July 19, 2002.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. This permit is contingent upon the construction, of 23,000 sq. ft. of wetlands mitigation area in accordance with plans received July 19, 2002.
10. The schedule for construction of the mitigation area shall coincide with site development unless otherwise considered and authorized by the Wetlands Bureau to occur subsequent to site construction.
11. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans. The entire mitigation area shall be preserved from future development.
12. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
13. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
14. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
15. The permittee shall designate a qualified professional who will have the responsibility to assure that the mitigation area is constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and remedial measures are

taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.

16. The permittee shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.

17. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site.

18. After at least five full growing seasons, the permittee shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as-built plans.

19. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

20. This permit is contingent upon the execution of a conservation easement on 50.9 acres as depicted on plans received July 19, 2002.

21. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

22. Draft conservation easement language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval. 23. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Hillsborough County Registry of Deeds Office. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.

24. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

25. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

26. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.

27. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

28. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

#### With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

## MINOR IMPACT PROJECT

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**2004-01042                      MEAD, RONALD**  
**DERRY    Unnamed Wetland**

#### Requested Action:

Dredge and fill a total of 18,300 square feet of wetlands for roadway construction for a 30-lot subdivision on 115 acres including the following: wetland "A" impact 10,235 square feet and install a 15" x 80' culvert; wetland "B" impact 2,285 square feet and install a 24" x 62' culvert; wetland "C" impact 3,100 square feet and install a 15" x 85' culvert; (no impact to wetland D); wetland "E" impact 1,230 square feet and install a 15" x 28' culvert; wetland "F" impact 1,200 square feet and install a 15" x 28' culvert; wetland "G" impact 250 square feet of roadside ditch to improve an existing 24" culvert.

Approve as mitigation preservation of 9.6 acres of upland buffer conservation easement adjacent to Derry's Manter Brook Designated Prime Wetland #B-8, to be held by the Derry Conservation Commission.

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Conservation Commission/Staff Comments:

Con. Com. had concerns which have been addressed and will hold the mitigation conservation easement.

Inspection Date: 08/11/2004 by Christian P Williams

**APPROVE PERMIT:**

Dredge and fill a total of 18,300 square feet of wetlands for roadway construction for a 30-lot subdivision on 115 acres including the following: wetland "A" impact 10,235 square feet and install a 15" x 80' culvert; wetland "B" impact 2,285 square feet and install a 24" x 62' culvert; wetland "C" impact 3,100 square feet and install a 15" x 85' culvert; (no impact to wetland D); wetland "E" impact 1,230 square feet and install a 15" x 28' culvert; wetland "F" impact 1,200 square feet and install a 15" x 28' culvert; wetland "G" impact 250 square feet of roadside ditch to improve an existing 24" culvert.

Approve as mitigation preservation of 9.6 acres of upland buffer conservation easement adjacent to Derry's Manter Brook Designated Prime Wetland #B-8, to be held by the Derry Conservation Commission.

**With Conditions:**

1. All work shall be in accordance with revised plans by Promised Land Survey LLC, and Sublime Civil Consultants dated 3/22/2005, as received by the Department on 3/24/2005 for wetland impacts A,B,C,E,F; and including sheet C7 entitled "Roadway Design Standards" Construction Sequence dated 3/2/2005, received by the Department on 5/27/2005; and per plan by Promised Land Survey LLC entitled "Wetland Impact Detail" dated 5/27/2005 as received by the Department on 5/27/2005.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on the approval and conditions of the NPDES permit.
4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Work shall be done during low flow.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

**Wetland preservation:**

1. This permit is contingent upon the execution of a conservation easement on 9.6 acres of upland buffer as depicted on plans entitled "Conservation Easement Plan Plat, Tax Map 9 Lot 45, 2 Beaver Lake Rd., Derry, NH, March 22, 2005, Promised Land Survey LLC," as received by the Department on 3/24/2005, and held by the Town of Derry.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and

future property owners shall be subject to this easement. The conservation easement holder shall be the Town of Derry Conservation Commission.

3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. With respect to the deed language which refers to future subdivision of the property, further subdivision affecting the easement area shall only be allowed to advance the establishment of additional adjacent open space or conservation area to be owned by the Town of Derry for conservation purposes, and shall be subject to DES review and approval prior to ensure that the purpose and value of this conservation easement is not diminished by the subdivision.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects that involve alteration of less than 20,000 square feet of non-tidal wetlands in the aggregate which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. With respect to the listed species reported by the NH Natural Heritage Inventory, including swamp azalea, giant rhododendron, and the red-shouldered hawk, the species were not reported as located on the property. As of March 23, 2005, the applicant had provided project plans to NH Fish and Game Department for review as requested, and no further comment from that program has been received.
5. DES Staff conducted a field inspection of the proposed project on 7/20/2004. Field inspection determined that the project was not adjacent to any of the Town of Derry's designated prime wetlands. The areas of potential violation reported by abutters were inspected and found to involve rutting from test pit equipment and ATV trespassers. During the inspection, DES made a number of requests of the applicant's consultant for more information, plan revisions, and restoration response to the violation areas, all of which have been responded to by the applicant.
6. In response to the issue raised by Brian Germaine that he was not notified as an abutter to the project, DES finds that the applicant's consultant verified that Mr. Germaine was a new abutting owner as shown on updated tax assessor's card, but that the update was not yet reflected on the town tax maps. Once was identified as an abutter, the applicant properly notified Brian Germaine by certified mail. Per email to DES dated 6/22/2004, Brian Germaine stated that he would not take the time to pick up the certified letter at the post office.
7. In response to the issues raised by Seth Newton in a letter dated 7/16/2004, received by DES on 7/21/2004, DES finds that 1) the applicant responded to the violation impact by regrading and reseeding to stabilize and restore the area, and further posted the property against ATV trespassers; that 2) with respect to surface water quality and development drainage issues, the project has been reviewed by DES and has received a DES Site-Specific permit WPS-7135 on 5/2/2005; 3) issues with respect to the quality of drinking water are not within the jurisdiction of the Wetlands Bureau to address; and 4) that the conservation easement proposed for the property adjacent to Derry's Manter Brook Prime Wetlands has been found to be of significant value by the Conservation Commission, and meets the requirements of DES wetlands mitigation rules.

Requested Action:

Retain 25 linear ft of concrete retaining wall around a dug-in slip constructed without a permit on 70 ft of frontage on Middle Brook in Moultonborough.

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Conservation Commission/Staff Comments:

Con. Com. had no objection to the issuance of the permit.

APPROVE AFTER THE FACT:

Retain 25 linear ft of concrete retaining wall around a dug-in slip constructed without a permit on 70 ft of frontage on Middle Brook in Moultonborough.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
3. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(l), projects that disturb less than 200 linear ft of shoreline on a perennial stream.

**2005-00665                      TSAKIRIS, DENNIS**  
**WAKEFIELD   Pine River Pond**

Requested Action:

Stabilize an existing 80 linear ft of shoreline with vegetated bio-logs, construct a grassed sitting area and add native plantings on Pine River Pond, Wakefield.

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Conservation Commission/Staff Comments:

Con Com has not submitted any comments by 06/22/05

APPROVE PERMIT:

Stabilize an existing 80 linear ft of shoreline with vegetated bio-logs, construct a grassed sitting area and add native plantings on Pine River Pond, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Zachary Berger Associates dated March 2005, revision date June 2005, as received by the Department on June 11, 2005.
2. Area shall be regraded to original contours following completion of work.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. No equipment shall be operated in the waterbody or on the lakebed.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), projects that disturb between 50 and 200 linear feet of

shoreline.

**2005-00902 KUSINSKI, DIANE**  
**NEWBURY Lake Sunapee**

Requested Action:

Construct a second 6 ft by 40 ft seasonal dock on 719 ft of frontage on Lake Sunapee, Newbury.

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Conservation Commission/Staff Comments:

No comments submitted by 7/18/05

APPROVE PERMIT:

Construct a second 6 ft by 40 ft seasonal dock on 719 ft of frontage on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on May 5, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. No change is authorized to the existing 6 ft by 40 ft seasonal pier.
5. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal piers shall be removed from the lake for the non-boating season.
7. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 4-slip docking system.

**MINIMUM IMPACT PROJECT**

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**2004-02905 KETOLA, JEREMIAH**  
**RINDGE Unnamed Wetland**

Requested Action:

Dredge and fill 1,800 square feet of palustrine scrub-shrub wetlands to provide access to one lot of a proposed 4-Lot subdivision adjacent to Converse Meadow Reservoir

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Conservation Commission/Staff Comments:

Conservation commission did not sign the expedited application.

Conservation commision is in opostion to the propsoed impacts, recommends utilizing an exiting crossing.

APPROVE PERMIT:

Dredge and fill 1,800 square feet of palustrine scrub-shrub wetlands to provide access to one lot of a proposed 4-Lot subdivision adjacent to Converse Meadow Reservoir

With Conditions:

1. All work shall be in accordance with the subdivision plan by Bell Engineering revised May 6, 2005, as received by the Department on June 13, 2005 and wetland crossing plan by Carl Hagstrom dated November 25, 2004, as received by the Department on December 6, 2004.
  2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
  3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
  4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
  5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
  6. Work shall be done during low flow.
  7. Appropriate siltation erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
  8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
  10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
  11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
10. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The local conservation commission requested access is continued on an existing road adjacent to the reservoir.
6. The existing crossing is within 100 feet of the reference line.
7. The proposed crossing is within 500 feet of the reference line.
8. Converse Meadow Reservoir is a great pond and therefore comes under the review of RSA 483-B, the Comprehensive Shoreland Protection Act.
9. The Department has determined the proposed crossing will minimize the long term impacts to the lacustrine ecosystem.

**2005-00136                      CARGILL, WILLIAM**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Construct a 6 ft by 45 ft seasonal dock attached to a 4 ft by 6 ft concrete pad, install a seasonal boatlift in the southern slip with a 14 ft by 30 ft seasonal canopy, install two single PWC lifts along the southern shoreline on Lake Winnepesaukee, Moultonborough.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 6 ft by 45 ft seasonal dock attached to a 4 ft by 6 ft concrete pad, install a seasonal boatlift in the southern slip with a 14



ft by 30 ft seasonal canopy, install two single PWC lifts along the southern shoreline on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 16, 2004, as received by the Department on January 19, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This permit supercedes permit #2003-491 and does not allow for two dock structures on the frontage.
5. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
6. The concrete pad shall be located entirely landward of full lake elevation of 504.32 and the natural undisturbed shoreline shall be left intact.
7. Seasonal pier shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 45 feet from the shoreline at full lake elevation.
9. The seasonal boatlift shall be removed from the lake for the non-boating season.
10. The seasonal PWC lifts shall be removed from the lake for the non-boating season.
11. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.
2. This permit replaced permit # 2003-491 and does not allow for two docking structures on the frontage.

**2005-00196                      PETERBOROUGH, TOWN OF**  
**PETERBOROUGH   Cunningham Pond**

Requested Action:

Construct three (3) 12 ft x 8 ft handicap accessible observation decks extending approximately 1.5 ft over the water on Cunningham Pond, Peterborough. Additional site work to include upgrading walkways, expanded parking for handicap access.

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Conservation Commission/Staff Comments:

The conservation commission requested only 2-3 observation deck structures be constructed instead of the initially proposed 4 structures.

APPROVE PERMIT:

Construct three (3) 12 ft x 8 ft handicap accessible observation decks extending approximately 1.5 ft over the water on Cunningham Pond, Peterborough. Additional site work to include upgrading walkways, expanded parking for handicap access.

With Conditions:

1. All work shall be in accordance with plans prepared by Meridian Land Services, Inc. dated December 15, 2004; revised by the applicant on June 24, 2005, and construction sequence and erosion control notes by the applicant, as received by the Department on June 24, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. The observation decks are located to minimize disturbance to existing vegetation.
4. No portion of the observation decks shall extend more than 1.5 feet from the shoreline at full lake elevation.
5. This permit does not provide for any work to the existing boat ramp or changes in location to the two (2) approved 6' by 20' seasonal docks.
6. These shall be the only structures on this water frontage and all portions of the observation decks shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.

7. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
12. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(m), alteration of less than 50 linear feet of shoreline along a pond or lake or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The construction of these structures will benefit the community of Peterborough.
6. The conservation commission requested the observation decks be reduced from 4 to 2 or 3 structures.
7. The applicant has reduced the observation structures to 3.

**2005-00505                      HIDDEN VALLEY GOLF & RV PARK**  
**DERRY   Unnamed Wetland**

Requested Action:

Dredge and fill 17,026 square feet of palustrine scrub-shrub and emergent wetlands to construct three (3) irrigation ponds on an existing golf course

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Conservation Commission/Staff Comments:

No comments submitted from the conservation commission as of May 27, 2005.

Inspection Date: 06/07/2005 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 17,026 square feet of palustrine scrub-shrub and emergent wetlands to construct three (3) irrigation ponds on an existing golf course

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated June 8, 2005, as received by the Department on June 23, 2005.
2. Construction activities shall be carried out during the late summer or fall months to minimize disturbance to the heron rookery. No work shall occur during the spring and early summer unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. No fill shall be done for lot development.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands with no very poorly drained soils and no stream channels present.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES and NHF&G Staff conducted a field inspection of the proposed project on June 7, 2005. Field inspection determined no stream channels present and the heron rookery was active.
6. The Department and NHF&G determined a potential exists for disturbance during construction requiring a restricted time frame for conducting the work.
7. The Department and NHF&G determined the completed project will have no direct impacts to the rookery.

**2005-00749                      LACHANCE REVOC TRUST, LUCILLE**  
**ROCHESTER   Unnamed Wetland**

Requested Action:

Dredge and fill 2,600 square feet of wetlands and install a 12" x 22' culvert for a road way crossing for a 15 lot subdivision.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 2,600 square feet of wetlands and install a 12" x 22' culvert for a road way crossing for a 15 lot subdivision.

With Conditions:

1. All work shall be in accordance with revised plans by Norway Plains Associates, Inc. dated 6/28/2005, as received by the Department on July 7, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00865 BRUSSARD, DAVID & ANN**  
**HAMPTON Atlantic Ocean**

**Requested Action:**

Impact 3,833 sq. ft. within the previously developed upland Tidal Buffer Zone to remove the existing dwelling and construct a new dwelling in its' place on a single family residential lot of 0.205 acres with 50.17 linear feet of shoreline frontage on the Atlantic Ocean.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Hampton Conservation Commission "... does not oppose granting a wetlands permit [for this project]..."

**APPROVE PERMIT:**

Impact 3,833 sq. ft. within the previously developed upland Tidal Buffer Zone to remove the existing dwelling and construct a new dwelling in its' place on a single family residential lot of 0.205 acres with 50.17 linear feet of shoreline frontage on the Atlantic Ocean.

**With Conditions:**

1. All work shall be in accordance with plans by Ames MSC dated April 26, 2005, as received by the Department on May 2, 2005.
2. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of areas within NH DES Wetlands Bureau jurisdiction for lot development or any other construction related activities.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Pursuant to Wt 304.04(a), the applicant obtained written concurrence relative to the impacts within 20-feet of the property line from the abutter identified as Marcia H. Macintosh Hampton Tax Map 116 Lot 31. However, the applicant did not receive written concurrence from the abutter identified as John S. Cerullo Hampton Tax Map 116 Lot 23.
6. The Department Waives Wt 304.04(a) relative to the impacts within 20-feet of the property line of the abutter identified as John S. Cerullo Hampton Tax Map 116 Lot 23.
7. The Department finds that the applicant made a good-faith effort to contact the abutter identified as John S. Cerullo Hampton Tax Map 116 Lot 23 via Certified Mail Return Receipt and the said owner signed the Return Receipt, however they did not give written consent.
8. Upon field inspection on July 20, 2005, the Department finds that there will be no adverse impacts to the abutter identified as John S. Cerullo Hampton Tax Map 116 Lot 23 as all the impact will remain on the applicants property.
9. The existing non-conforming residence is located within the 50 ft. primary building setback, currently 40 feet from the reference line.
10. The applicant has proposed to relocate the proposed dwelling to 46 ft. from the highest observable tide line and therefore meets the requirements for a waiver to RSA 483-B:9.
11. The requested relocation of the proposed dwelling is reasonable and more nearly conforming to current standards than the existing dwelling.

**2005-00924                      C & D INTERESTS**  
**ALTON   Unnamed Wetland**

**2005-01101                      PRIAULX, SHARMON**  
**WAKEFIELD   Lovell Lake**

Requested Action:

Construct a 4 ft by 24 ft seasonal dock attached to a 2 ft by 5 ft concrete pad installed landward of full lake elevation on Lovell Lake, Wakefield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No Com Com comments by 6/22/05

APPROVE PERMIT:

Construct a 4 ft by 24 ft seasonal dock attached to a 2 ft by 5 ft concrete pad installed landward of full lake elevation on Lovell Lake, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated May 1, 2005, as received by the Department on May 23, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located entirely landward of the natural undisturbed shoreline.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

**2005-01219                      STARVISH, CHESTER & DEANNE**  
**HAMPTON FALLS   Unnamed Wetland**

Requested Action:

Impact 2,950 square feet of forested wetland for the construction of a drive and installation of twin 12-inch culverts for access on a single family residential lot of 12.00 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments were recieved by the Hampton Falls Conservation Commission

APPROVE PERMIT:

Impact 2,950 square feet of forested wetland for the construction of a drive and installation of twin 12-inch culverts for access on a single family residential lot of 12.00 acres.

With Conditions:

1. All work shall be in accordance with plans by Ames MSC dated May 20, 2005, as received by the Department on June 10, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01534                      TWOMBLY, FREDERICK/NAOMI**  
**NORTHWOOD   Unnamed Wetland**

Requested Action:

Retain a total of 326 sq. ft. of freshwater wetland impacts for the construction of headwalls.

\*\*\*\*\*

APPROVE AFTER THE FACT:

Retain a total of 326 sq. ft. of freshwater wetland impacts for the construction of headwalls.

With Conditions:

1. Any further alteration of DES Wetlands Bureau jurisdictional areas on this property will require a new application and further permitting by the DES Wetlands Bureau.
2. The work shall be in accordance with plans dated July 20, 2005 by Norway Plains Associates, Inc., as received by the Department on July 20, 2005.

With Findings:

1. This is a minimum impact project per Wt 303.04.
2. This proposal meets the criteria of Chapter Wt 300 for approvable minimum impact projects.
3. This impact was the result of a misinterpretation of the rules and the law contained in Wt 100-800 and RSA 482-A.

## FORESTRY NOTIFICATION

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**2005-01578**                      **SWAIN FAMILY TRUST, HOWARD SWAIN**  
**DEERFIELD**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Deerfield Tax Map 6, Lot# 54

**2005-01579**                      **POIRIER, DANIEL**  
**TAMWORTH**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 410, Lot# 43

**2005-01583**                      **SWAIN FAMILY TRUST, HOWARD SWAIN**  
**NOTTINGHAM**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Nottingham Tax Map 62, Lot# 2,3 & 4

**2005-01606**                      **HANSEN, ALBERT & CELELIA**  
**WOLFEBORO**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Moultonboro Tax Map 76, Lot# 8

**2005-01642**                      **HINTLIAN, HARRY**  
**WOODSTOCK**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Woodstock Tax Map 210, Lot# 4

**2005-01643**                      **MURRAY SR, JACK**  
**WINCHESTER**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Winchester Tax Map 2, Lot# 43, 43-2, 44 & 55-5

**2005-01644**                      **RIHN, JOHN**  
**PIERMONT**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Piermont Tax Map R3, Lot# 11

**2005-01645                      PEMIGEWASSET FISH & GAME CLUB, FRED ALLEN, PRES.**  
**HOLDERNESS   Unnamed Stream**

COMPLETE NOTIFICATION:  
Holderness Tax Map 9, Lot# 25

**2005-01646                      PRIEST, GERALDINE**  
**EPSOM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Epsom Tax Map R3, Lot# 7

**2005-01647                      OTTINGER, JOAN**  
**EPSOM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Epsom Tax Map R3, Lot# 2

**2005-01649                      LABUTIS, JOSEPH & JULIE**  
**SANDWICH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sandwich Tax Map R3, Lot# 51

## EXPEDITED MINIMUM

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**2003-01627                      WAGNER, RICHARD**  
**BRIDGEWATER   Newfound Lake**

### Requested Action:

Approve name change to: Helen D'Alelio, 1 Smith Farm Trail, Lynnfield, Ma 01940 per request received 7/21/2005.

\*\*\*\*\*

### Conservation Commission/Staff Comments:

Con. Com. signed application.

### APPROVE NAME CHANGE:

Repair in-kind existing 55 ft breakwater by resetting existing rocks, and repair existing 4 ft x 47 ft cantilevered permanent pier on an average of 97 ft of frontage on Newfound Lake.

### With Conditions:

1. All work shall be in accordance with plans by Richard Wagner, as received by the Department on July 28, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.



4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
10. All removed material shall be placed outside the jurisdiction of the Wetlands Bureau prior to new construction.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2004-03039                      DOVER, CITY OF**  
**DOVER   Knox Marsh**

Requested Action:

Impact a total of 1,257 sq. ft. of roadside drainage ditch for the construction of a 5-foot asphalt sidewalk, curbing and associated drainage on the south (east) side of Knox Marsh Road (NH Route 155) for safe pedestrian passage.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Dover Conservation Commission signed the Minimum Impact Expedited Application.

Inspection Date: 07/20/2005 by Eben M Lewis

APPROVE PERMIT:

Impact a total of 1,257 sq. ft. of roadside drainage ditch for the construction of a 5-foot asphalt sidewalk, curbing and associated drainage on the south (east) side of Knox Marsh Road (NH Route 155) for safe pedestrian passage.

With Conditions:

1. All work shall be in accordance with plans by CLD Engineers, Inc. dated December 2004, as received by the Department on December 20, 2004.
2. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final erosion control plans. Those plans shall show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control

Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
12. The impacts associated with the temporary work shall be remediated immediately following construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NHDOT obtained drainage easements for those impacts outside the right-of-way.
6. DES personal conducted a site inspection on 7/20/05. Inspection of the site concluded that the impacts associated with this project will not negatively affect Knox Marsh and the impacts have been minimized as much as possible.

**2005-00194**

**LEWIS, WARREN**

**PLYMOUTH Unnamed Wetland**

Requested Action:

Impact a total of 2,961 square feet of forested wetland to install a 42"x29"x40' arch culvert for the construction of a roadway and cul-de-sac to access an 8-lot subdivision of 57.3 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Plymouth Conservation Commission signed the Minimum Impact Expedited Application

APPROVE PERMIT:

Impact a total of 2,961 square feet of forested wetland to install a 42"x29"x40' arch culvert for the construction of a roadway and cul-de-sac to access an 8-lot subdivision of 57.3 acres.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated June 24, 2004 and revised through September 28, 2004, as received by the Department on April 5, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00716                      FULLER, SHAREN**  
**MOULTONBOROUGH   Unnamed Wetland**

Requested Action:

Temporarily impact 1,390 square feet of forested wetland for the installation of a sewer line to a an on-site subsurface sewage disposal system on a commercial lot of 5.97 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Moultonborough Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 1,390 square feet of forested wetland for the installation of a sewer line to a an on-site subsurface sewage disposal system on a commercial lot of 5.97 acres.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated February 2004, as received by the Department on April 14, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area of temporary impact shall be regraded to original contours following completion of work.
7. All material removed during work activities shall be removed down to the level of the original hydric soils.
8. All material removed during work activities shall be placed out of DES's jurisdiction.
9. Mulch within the restoration area shall be straw.
10. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00750                      MURPHY, ROSE**  
**LEBANON   Unnamed Wetland**

Requested Action:

Dredge 15,973 square feet of wet meadow for the construction of a pond for fire protection on a single family residential lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Lebanon Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge 15,973 square feet of wet meadow for the construction of a pond for fire protection on a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Services dated March 8, 2005, as received by the Department on April 20, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found during construction and during the early stages of vegetative establishment.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00920                      HERTEL SR, VAN**  
**WOLFEBORO   Unnamed Stream**

Requested Action:

Impact a total of 1,202 sq. ft. of forested wetland to install a 12-inch by 20-foot culvert (impacting 520 sq. ft) and a 18-inch by 20-foot culvert (impacting 702 sq. ft.) for access to a lot on 35.70 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the Minimum Impact Expited Application.

APPROVE PERMIT:

Impact a total of 1,202 sq. ft. of forested wetland to install a 12-inch by 20-foot culvert (impacting 520 sq. ft) and a 18-inch by 20-foot culvert (impacting 702 sq. ft.) for access to a lot on 35.70 acres.

With Conditions:

1. All work shall be in accordance with plans by Timothy Jones dated April 25, 2005, as received by the Department on May 6, 2005.

2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01332                      HAMLIN, MARY**  
**JAFFREY   Thorndike Pond**

Requested Action:

Install a 6'x18' float and a 6'x12' float in the configuration of a "T" as a seasonal docking structure with 322' of shoreline frontage.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Jaffery Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Install a 6'x18' float and a 6'x12' float in the configuration of a "T" as a seasonal docking structure with 322' of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on July 19, 2005.
2. This permit shall not be effective until it has been recorded with the Cheshire Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a) Construction or modification of a seasonal pier or wharf if no more than 2 slips, including previously existing slips, are proposed.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01346                      DANVILLE, TOWN OF**  
**DANVILLE   Colby Brook**

**Requested Action:**

Impact 350 square feet within the bed and banks of Colby Brook to remove the existing 3-foot round culvert beneath Pleasant Street and replace with a 3-foot by 10-foot box culvert.

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**Conservation Commission/Staff Comments:**

The Danville Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE PERMIT:**

Impact 350 square feet within the bed and banks of Colby Brook to remove the existing 3-foot round culvert beneath Pleasant Street and replace with a 3-foot by 10-foot box culvert.

**With Conditions:**

1. All work shall be in accordance with plans received by the Department on June 17, 2005.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Unconfined work within Colby Brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

**LAKES-SEASONAL DOCK NOTIF**

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**2005-01577                      MESERVE, RONALD**  
**NEW DURHAM   Shaw's Pond**

COMPLETE NOTIFICATION:  
Install a seasonal dock

**2005-01593                      SULLIVAN, PATRICK**  
**EAST WAKEFIELD   Belleau Lake**

COMPLETE NOTIFICATION:  
East Wakefield Tax Map 71, Lot# 72 Belleau Lake

**2005-01594                      COLLINS /LAINE, JAMES/KRISTEN**  
**ORANGE   Orange Pond**

COMPLETE NOTIFICATION:  
Orange Tax Map 4, Lot# 18 Orange Pond

**2005-01595                      SPAULDING, JAMES**  
**DALTON   Mirror Lake**

COMPLETE NOTIFICATION:  
Dalton Tax Map 413, Lot# 110 Mirror Lake

**2005-01596                      ORCIUCH, ROBERT & KERRIE FLYNN**  
**FITZWILLIAM   Scott Pond**

COMPLETE NOTIFICATION:  
Fitzwilliam Tax Map 36, Lot# 23 Scott Pond

**2005-01598                      CAMPBELL, DAVID**  
**TUFTONBORO   Mirror Lake**

COMPLETE NOTIFICATION:  
Tuftonboro Tax Map 64, Lot# 2 Mirror Lake

**2005-01599                      COLOSI, PHILIP**  
**WAKEFIELD   Pine River Pond**

COMPLETE NOTIFICATION:

Wakefield Tax Map 53, Lot# 5-1 Pine River Pond

**2005-01600                      AUDET, DALE**  
**STRAFFORD   Bow   Lake**

COMPLETE NOTIFICATION:

Strafford Tax Map 27, Lot# 7 Bow Lake

**2005-01601                      PIETTE, BARBARA & RICHARD LOVETT**  
**HOLDERNESS   Squam Lake**

COMPLETE NOTIFICATION:

Holderness Tax Map 241, Lot# 2 Squam Lake

**2005-01602                      MCGOWAN JR, WILLIAM**  
**SUNAPEE   Sunapee Lake**

COMPLETE NOTIFICATION:

Sunapee Tax Map 14, Lot# 60 Lake Sunapee

**2005-01604                      KELLY, PATRICIA**  
**MILTON   Milton Pond**

COMPLETE NOTIFICATION:

Milton Tax Map 33, Lot# 251 Milton Three Ponds

**2005-01605                      MALONE, NANCY**  
**ALTON   Lake Winnepesaukee**

COMPLETE NOTIFICATION:

Alton Bay Tax Map 49, Lot# 31 Lake Winnepesaukee

**2005-01610                      CALLAHAN, PAUL**  
**GILMANTON IRON WORKS   Crystal Lake**

COMPLETE NOTIFICATION:

Gilmanton Iron Works Tax Map 39, Lot# 5 Crystal Lake

**2005-01611                      GREENWALD, EVAN**  
**CENTER HARBOR   Lake Winnepesaukee**

COMPLETE NOTIFICATION:

Moultonboro Tax map 19, Lot# 8 Lake Winnepesaukee



**2005-01614                      MACPHERSON, JOHN**  
**NORTH SUTTON   Keyser Lake**

COMPLETE NOTIFICATION:

North Sutton Tax Map 7, Lot# 968-357 Keyser Lake

**ROADWAY MAINTENANCE NOTIF**

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**2005-01619                      SODA BROOK MANUFACTURED HOUSING CO OP, C/O SHEILA**  
**NORTHFIELD   Unnamed Wetland**

**2005-01620                      KEENE, CITY OF**  
**KEENE   Unnamed Wetland Ditch**

**2005-01640                      WARNER, TOWN OF**  
**WARNER   Unnamed Stream**

**2005-01641                      NH DEPT OF TRANSPORTATION**  
**SULLIVAN   Unnamed Stream**

**PERMIT BY NOTIFICATION**

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**2005-01164                      WEIR JR, DAVID**  
**PETERBOROUGH   Man-made Pond**

PBN IS COMPLETE:

Maintenance dredge man-made pond and repair an existing dam and sluiceway.

**2005-01575                      GISTIS, CHRIS**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

On a 70' shoreline to install a 5'x 4' concrete anchoring pad, to attach to an existing seasonal dock, pad will be located under an existing 6' wide walkway within 20 feet of abutter. Boatlift to be installed.

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PBN IS COMPLETE:

On a 70' shoreline to install a 5'x 4' concrete anchoring pad, to attach to an existing seasonal dock, pad will be located under an existing 6' wide walkway within 20 feet of abutter. Boatlift to be installed.

**2005-01586                      ALTON, TOWN OF**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Repair existing boatramp repaving 17 ' x 25' area landward of full lake elevation 304.32 during drawdown and using appropriate siltation controls which may require use of diaper or turbidity boom.

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Conservation Commission/Staff Comments:

ConCom signature 7/14/05

PBN IS COMPLETE:

Repair existing boatramp repaving 17 ' x 25' area landward of full lake elevation 304.32 during drawdown and using appropriate siltation controls which may require use of diaper or turbidity boom. per plans received on 07/18/2005.

**2005-01587                      ALTON, TOWN OF**  
**ALTON   Unnamed Stream**

Requested Action:

Repair existing headwallof a 5' culvert on Prospect Mountain Road, remove existing granite blocks that have fallen into stream and reset them at their original location with no machinery used in the stream.

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Conservation Commission/Staff Comments:

ConCom signature 7/14/05.

PBN IS COMPLETE:

Repair existing headwallof a 5' culvert on Prospect Mountain Road, remove existing granite blocks that have fallen into stream and reset them at their original location with no machinery used in the stream. per plans received on 07/18/2005.